



7-29-04

PATENT  
Attorney Docket No.: CSI-2016CP1

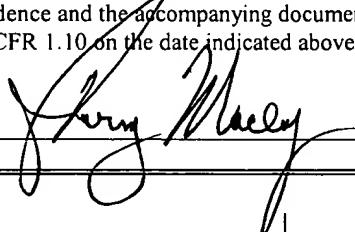
3765  
JRW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: ER 819975275 US Date of Mailing: July 28, 2004

I hereby certify that this correspondence and the accompanying documents are being deposited with the United States Postal Service as Express Mail under 37 CFR 1.10 on the date indicated above in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313.

  
Harry Macey

In re Application of:

Ainsworth, et al.

Serial No.: 09/847,947

Filing Date: May 2, 2001

Title: SELF-CLOSING SURGICAL CLIP  
FOR TISSUE

Examiner: R. Lindsey

Group Art Unit: 3765

Mail Stop Amendment  
Commissioner for Patents  
Alexandria, VA 22313

Sir:

Transmitted herewith are the following:

1. Information Disclosure Statement (2 pgs)
2. Substitute Form 1449A (1 pg) and a copy of all cited references
3. Copy of Request for Corrected/Reprinted Patent for  
U.S. Patent No. 6,607,541 (2 pgs)
4. Copy of Appendix A (9 pgs)
5. Copy of Appendix B (9 pgs)

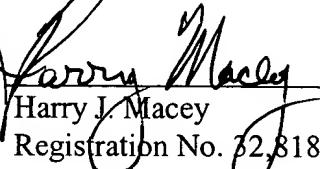
[ ] Authorization to charge the \$\* fee for the \* to Deposit Account No. 50-1947 is provided on the Fee Transmittal. A duplicate copy of that document is enclosed for that purpose.

[X] No fee is believed to be due. However, the Commissioner is hereby authorized to charge any fees required by this submission to Deposit Account No. 50-1947 referencing Attorney Docket No. CSI-2016CP1.

Respectfully submitted,

Date: July 28, 2004

By:

  
Harry J. Macey  
Registration No. 32,818

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Serial No. 09/847,947

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Filing Date: May 2, 2001

Title: SELF-CLOSING SURGICAL CLIP  
FOR TISSUE

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97**

Mail Stop Amendment  
Commissioner for Patents  
Alexandria, VA 22313

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application, a copy of each of the documents listed on the attached Substitute Form 1449A. Applicants further submit for consideration in the above-identified application, a copy of the Request for Corrected/Reprinted Patent and accompanying appendices, which were submitted to the U.S. Patent and Trademark Office in connection with U.S. Patent No. 6,607,541, which is cited in the Substitute Form 1449A submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

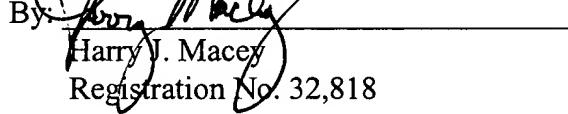
Within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

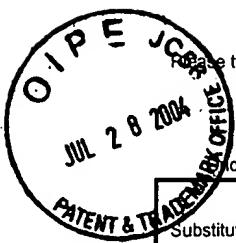
In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-1947 referencing Attorney Docket No. CSI-2016CP1. However, the Commissioner is not authorized to charge the issue fee to the Deposit Account.

Respectfully submitted,

Date: July 28, 2004

By:   
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Please type a plus sign (+) inside this box →

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	09/847,947
(use as many sheets as necessary)				Filing Date	May 2, 2001
Sheet	1	of	1	First Named Inventor	Stephen Ainsworth
				Group Art Unit	3765
				Examiner Name	R. Lindsey
				Attorney Docket Number	CSI-2016CP1

072804

<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Documents		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
1.	5,879,371	Gardiner et al.	03/09/1999			
2.	6,074,401	Gardiner et al.	06/13/2000			
3.	6,149,658	Gardiner et al.	11/21/2000			
4.	6,551,332	Nguyen et al.	04/22/2003			
5.	6,607,541	Gardiner et al.	08/19/2003			
6.	6,613,059	Schaller et al.	09/02/2003			
7.	6,641,593	Schaller et al.	11/04/2003			
8.	6,695,859	Golden et al.	02/24/2004			
9.	US-2001-0018592-A1	Schaller et al.	08/30/2001			
10.	US-2003-0074012-A1	Nguyen et al.	04/17/2003			
11.	US-2004-0111099-A1	Nguyen et al.	06/10/2004			

<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Documents		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	12.	International Search Report PCT/US02/14261 (17 June 2003)			
	13.	Written Opinion PCT/US02/14261 (28 October 2003)			
	14.	International Preliminary Examination Report PCT/US02/14261 (07 April 2004)			

Examiner Signature	Date Considered
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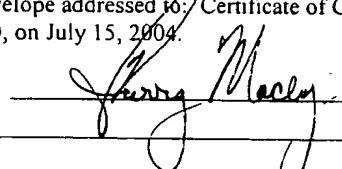
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**COPY****CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence and the accompanying documents are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 15, 2004.

  
Harry Macey**REQUEST FOR  
CORRECTED/REPRINTED  
PATENT**

Address to:  
Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket	CSI-2006
First Named Inventor	Barry Gardiner
Patent Number	6,607,541
Issue Date	August 19, 2003
Application Number	09/089,884
Filing Date	June 3, 1998
Title: TISSUE CONNETOR APPARATUS AND METHODS	

Sir:

The Applicants for the above-referenced patent hereby request the issuance of a corrected/reprinted patent in view of numerous errors that the U.S. Patent and Trademark Office (hereafter the "Office") made in printing the above-referenced patent. The Office did not print allowed independent claims 13 and 25, printed claim number 27 lacks any text, and the printed claims are replete with inaccurate claim language and inaccurate claim dependencies. Transmitted herewith is a listing of the claims as allowed (Appendix A) and the allowed claims renumbered (Appendix B) for printing with the corrected/reprinted patent. The errors in the claims of the printed patent are summarized below.

Claim 3 should be corrected to depend from claim 1.

Claim 8 should be corrected to depend from claim 6.

Claim 9 should be corrected to depend from claim 6.

Claim 10 should be corrected to depend from claim 6.

Claim 11 should be corrected to depend from claim 1.

Claim 13 should be corrected to depend from claim 11.

Claim 16 should be corrected to depend from claim 11.

Claim 21 should be corrected to depend from claim 16.

Claim 22 should be corrected to depend from claim 16.

Claim 23 should be corrected to depend from claim 1.

Claim 27 was printed without any text. Allowed claim 13, which did not appear on the issued patent, should be inserted therein as shown in Appendix B.

Claim 28: The spelling of "including" and "surrounding" should be corrected.

Claims 32-40: It is not clear how these claims correspond to the allowed claims. Claims 32-40 as shown in Appendix B should be inserted in their stead. Claim 32 of Appendix B corresponds to allowed claim 25 of Appendix A, which does not appear in the issued patent.

Claim 41: The spelling of "needle" in the penultimate line of the claim should be corrected.

Claim 50 should be corrected to depend from claim 46 and the spelling of "said" corrected on line two of the claim.

Claim 58 should be corrected to include the text "and said flexible member comprises a suture" at the end of the claim in accordance with the Examiner's amendment and as shown in Appendix B.

Claim 62 should be corrected to depend from claim 56.

The Applicants submit that the nature of the mistakes on the part of the Office is such that a Certificate of Correction would be inappropriate in form and respectfully request that the Commissioner issue a corrected patent in lieu of a Certificate of Correction as a more appropriate form of correction and to clearly show what claims issued in the patent. 35 U.S.C. § 254; 37 C.F.R. § 1.322(b). The Applicants further submit that the claims in the corrected/reprinted patent should correspond to the claims as listed in Appendix B.

It is believed that no fee is due since the Office made the foregoing errors. However, the Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.20, which may be required by this paper, to Deposit Account No. 50-1947 Attorney Docket No. CSI-2006.

Respectfully submitted,

By: 

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Registration No. 32,818

Date: July 15, 2004

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